

ADVISORY OPINION 92-004

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

September 18, 1992

Ms. Sheila Cozine, Treasurer
Committee to Re-Elect Denise Harper-Angel, PVA
5807 Lisa Court, #9
Louisville, KY 40291

Dear Ms. Cozine:

You have requested an Advisory Opinion from the Registry as to whether campaign funds may be used to purchase tickets to a fundraiser for another political candidate and distribute those tickets for the candidate and others to attend.

Please be advised that under Senate Bill 221, KRS 121.180(10) is amended to cover this question. In general, no candidate may permit funds from his campaign fund to further the candidacy of a person for a different public office. However, KRS 121.180(10) provides in part:

...nothing in this subsection shall be deemed to prohibit a candidate or slate of candidates from using funds in the campaign account to purchase admission tickets for any fundraising event or testimonial affair for another candidate or slate of candidates if the amount of the purchase does not exceed one hundred dollars (\$100) per event or affair...

This provision clearly allows the use of campaign funds for the purchase of tickets to an event held for another candidate, so long as the purchase does not exceed \$100. Therefore, the campaign account for which you are treasurer may purchase fundraising ticket(s) to the event held by another candidate up to a total expenditure of \$100. For example, your campaign fund could purchase a maximum of ten \$10 tickets to another candidate's fundraiser. Another example would be where one single ticket to another candidate's fundraiser would cost more than \$100. In that case, your campaign account could purchase such a ticket but could only spend \$100 from the account (fundraiser ticket - \$150: \$100 from campaign account - \$50 from other sources).

Although the above-referenced section does not specifically prohibit distribution of tickets to other individuals, you should be aware that KRS 119.205(4) provides that, "Any person who receives money or other thing of value to be used for the purpose of procuring or influencing a vote shall be deemed to have been bribed." Since a ticket would be a "thing of value the distribution to others could constitute vote buying, if this intent is to procure or influence there votes.

Thank you. If you have further questions, please feel free to call the Registry.

Sincerely,

Timothy E. Shull
General Counsel

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